

USSN 10/813,870

CT-2773 NP

Remarks

Status of the Claims. Claims 1-11 are pending. Claim 12 was cancelled in this reply. Claims 1-11 are rejected, however, in the detailed action, claim 1 was allowed. Claims 2, 7, and 9 were rejected under 35 USC 112, second paragraph, and claims 3-6, 8, 10, and 11 were objected to for depending on a rejected claim.

Rejection under 35 USC 112, second paragraph. Dependent claims 2 and 9 were rejected for referring to stereochemical aspects of Formula I which were not apparent in the structural formula and for misplacing the periods in the claims. Claim 2 has been rewritten in independent form to include a structure indicating stereochemistry and also to include all of the variable claim elements of claim 1. The applicants believe this removes any indefiniteness and is supported by the original specification and claims. Claim 9 was cancelled.

Claim 7 was rejected for depending on itself. The claim has been corrected to depend on claim 6.


The applicants believe the basis for all 35 USC 112 rejections have been removed and respectfully request the examiner to withdraw the rejection.

Objection to claims 3-6, 8, 10, and 11. The examiner objected to claims 3-6, 8, 10, and 11 for depending on an a rejected base claim. However, the examiner indicated claim 1 was allowed. As such, claims 3-6, 8, and 10 depend on an allowed claim and the applicants respectfully request the objection be withdrawn. Claim 11 is an independent composition claim and never depended on a rejected claim. The applicants believe this claim is allowable as is.

The applicants believe the application is now in allowable form and respectfully request favorable reconsideration. If any issues remain regarding the allowance of this application, the Examiner is respectfully invited to contact the applicants' agent, James Epperson, by phone (203-677-6974), fax (203-677-6900), or e-mail (james.epperson@bms.com).

Respectfully submitted,

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